

**LABEL, IN PART:** "Blue Ribbon De Luxe."

**NATURE OF CHARGE:** Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess.

Misbranding, Section 502 (a), the label statements "\* \* \* \* tested by air \* \* \* for prevention of disease \* \* \*" were false and misleading as applied to an article containing holes; and, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the three-units tins and the package containing 4 tins of the article bore no statement of the quantity of the contents, and the statement on the gross-carton "One-Dozen" was inaccurate since the carton contained one gross.

**DISPOSITION:** April 6, 1949. Default decree of condemnation and destruction.

## **DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS\***

### **DRUGS FOR HUMAN USE**

**2660. Misbranding of estrogenic hormones in oil. U. S. v. Barry Laboratories, Inc., and Aaron W. Barry. Pleas of nolo contendere. Fine of \$1,000 against each defendant. (F. D. C. No. 25573. Sample No. 19243-K.)**

**INFORMATION FILED:** September 30, 1948, Eastern District of Michigan, against Barry Laboratories, Inc., Detroit, Mich., and Aaron W. Barry, president of the corporation.

**ALLEGED SHIPMENT:** On or about October 27, 1947, from the State of Michigan into the State of Ohio.

**LABEL, IN PART:** "Estrongenetic Hormones \* \* \* Manufactured For The Schuemann-Jones Co. Cleveland, Ohio."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the label statements "Estrongenetic Hormones A sterile, standardized solution of estrogenic hormones derived from gravid equine urine consisting principally of Estradiols with small quantities of Estrone, Equilin and Equilenin and traces of Alpha-Estradiol in neutral vegetable oil" and the statement "This preparation is a standardized oil solution of Estrogenic Hormones obtained from pregnancy urine," appearing in a circular enclosed with the article, were false and misleading. The statements represented and suggested that the article contained estrogens as they are found in, and abstracted from, gravid equine urine and that the article contained only traces of alpha-estradiol. The article did not consist of estrogens as they are present in, and abstracted from, gravid equine urine, and it did not contain only traces of alpha-estradiol since the predominant estrogen present in the article was alpha-estradiol.

**DISPOSITION:** February 28, 1949. Pleas of nolo contendere having been entered, the court imposed a fine of \$1,000 against each defendant.

**2661. Misbranding of Systemic Pilana Combination Tablets and Pilana Rectal Salve. U. S. v. Dr. Edward T. Molzahn (McCook Rectal Clinic). Plea of nolo contendere. Fine, \$100 and costs. (F. D. C. No. 24281. Sample No. 21407-K.)**

\*See also Nos. 2651, 2654, 2656, 2657, 2659.

**INFORMATION FILED:** February 21, 1949, District of Nebraska, against Dr. Edward T. Molzahn, trading as the McCook Rectal Clinic, McCook, Nebr.

**ALLEGED SHIPMENT:** On or about January 10, 1948, from the State of Nebraska into the State of Missouri.

**PRODUCT:** Analysis showed that the *Systemic Pilana Combination Tablets* contained a minute amount of a calcium salt, an indication of podophyllum, unidentified plant material, and a large amount of talc filler; and that the *Pilana Rectal Salve* contained chiefly benzocaine, hydroxyquinoline sulfate, and unidentified plant extractives in a petrolatum base.

**NATURE OF CHARGE:** Misbranding, Section 502(a), certain statements in the accompanying labeling of the articles were false and misleading. These statements represented and suggested that the *Systemic Pilana Combination Tablets* would alleviate the pain and discomfort of constriction of rectal veins and arteries; that it would relieve the discomfort due to piles, hemorrhoids, and prolapsus ani; that it would relieve a congested condition; that it would strengthen the walls of the hemorrhoidal veins and tone the lower bowel; that it would be efficacious in the cure, mitigation, and treatment of systemic diseases, and would regulate the liver; and that the *Systemic Pilana Combination Tablets* and the *Pilana Rectal Salve*, when used alone and in conjunction with each other, would be efficacious in the cure, mitigation, and treatment of hemorrhoids, piles, and other rectal ailments.

**DISPOSITION:** March 21, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$100 and costs.

**2662. Misbranding of salve. U. S. v. Frank Endinger. Plea of nolo contendere. Fine, \$10. (F. D. C. No. 25331. Sample Nos. 25035-K, 31741-K.)**

**INFORMATION FILED:** November 18, 1948, District of Arizona, against Frank Endinger, Willcox, Ariz.

**ALLEGED SHIPMENT:** On or about July 1, 1947, and June 15, 1948, from the State of Arizona into the States of North Dakota and California.

**PRODUCT:** Analysis disclosed that the product was essentially lead oleate and sodium carbonate with rosin.

**LABEL, IN PART:** (Jar label, shipment of July 1, 1947) "Principal Ingredients No. 1 Dark Salve—Olive oil, Rosin, Oleate of Lead, Soap lake salts, Sweet oil, Croton oil. No. 2 Light Salve—Lanun anhydrous, Menthol crystals, Witch Hazel, Oil of Wintergreen, Oil of Eucalyptus, Croton oil."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in accompanying labeling were false and misleading. The labeling of both shipments represented and suggested that the article would be efficacious in the treatment of cancer. The labeling of the shipment of June 15, 1948, represented and suggested that the article also would be efficacious in the treatment of pneumonia, skin diseases, ulcers, catarrh, tuberculosis, rheumatism, kidney disease, eczema, ringworm, burger's disease, milk leg, female trouble, barber's itch, fistula, piles, and stomach diseases, and that the article would prevent blood poisoning and gangrene. The article would not be efficacious for the purposes represented.

**DISPOSITION:** January 31, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$10.

**2663. Misbranding of Leuco-Derm Ointment. U. S. v. 30 Cartons, etc. (F. D. C. No. 24943. Sample Nos. 43438-K, 43439-K.)**